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01301\$

08/97/245



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/97/245 11/17/97 BERLOWITZ

0232/0327

KEVIN MCMAHON
WEIL GOTSHAL & MANGES
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NEW YORK NY 10153

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MAY 8 1998
DATE MAILED: 1111
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NOTICE OF IMPROPER FWC FILING UNDER 37 CFR 1.62
No Filing Date Granted

The above-identified application was deposited under 37 CFR 1.62 as a file wrapper continuing application, but is improper and has not been granted a filing date for reasons shown below:

The filing date will be the date of receipt of the items required below unless otherwise indicated, provided the items are filed before the payment of the issue fee, abandonment of, or termination of proceedings on the prior application. Any assertions that the items required below were submitted or are not necessary for a filing date must be by way of petition directed to the attention of the Office of Assistant Commissioner for Patents. Any such petition must be accompanied by the \$130.00 petition fee (37 CFR 1.17(i)). If the petition alleges that no defect exists, a request for refund of the petition fee may be included in the petition.

All of the below-noted omissions and/or any petition must be submitted within TWO MONTHS of the date of this notice (37 CFR 1.181(f)) or the application may be returned or otherwise disposed of and the filing fee, if submitted, will be refunded less the \$130.00 handling fee (37 CFR 1.21(n)). THIS TIME LIMIT MAY NOT BE EXTENDED PURSUANT TO 37 CFR 1.136.

- 1. The application does not include the correct application number, or serial number and filing date, of the prior application.
- 2. The application, which is not a continuation-in-part, was not filed by the same or less than all the inventors named in the prior application and no petition for correction of inventorship was filed.
- 3. The application does not identify the names of all the inventors (37 CFR 1.41(a)). The application uses "et al" but only one inventor was named in the prior application.
- 4. The request does not include a signature of the inventor(s), assignee of the entire interest, or registered attorney or agent.
- 5. The application was not filed before the payment of the issue fee, abandonment of, or termination of proceedings on the prior application:
 - a) The issue fee was paid on the prior application on
 - b) The prior application was abandoned, or proceedings terminated on
 - c) The prior application was abandoned by the filing of application number on under 37 CFR 1.62.

6. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the response.

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